



**Connecticut
Petroleum Council**

A Division of API

Steven Guveyan
Executive Director

44 Capitol Avenue
Suite 103-B
Hartford, Connecticut 06106
Telephone 860-246-8846
Fax 860-246-6495
Email ctpetroleum@comcast.net
www.api.org

TO: Members of the Environment Committee
FROM: Steve Guveyan, Connecticut Petroleum Council
RE: Support for SB-120, HB-5125, HB-5127

February 22, 2010

The Connecticut Petroleum Council strongly supports this package of bills (SB-120, HB-5125, HB-5127) bringing greater transparency and public participation to the environmental rule-writing process within the state. We are a trade association of major oil companies, terminal operators and pipelines doing business here---and subject to numerous DEP regulations---so these bills will have a very significant impact on us.

SB-120 makes clear that guidance statements or policies issued by DEP should have a public hearing by the General Assembly's Regulations Review Committee. Currently, only proposed regulations must go through the public hearing process; guidance statements and policies do not. We suggest you go even further: Require that a public hearing be held for guidance statements and policies, rather than making it optional, and also apply it to major DEP policies adopted by the governor's office (in order to prevent DEP from convincing the governor to adopt a policy, thereby getting around this proposal). As you know, the governor signed Connecticut into the Low-Carbon Fuel Standard (LCFS) Memorandum of Understanding (MOU) with other Northeastern governors in late December, even though no public hearing was ever held in Connecticut. This bill could help prevent outcomes like that from occurring.

HB-5125 merely requires DEP to write a report to the legislature every four years, addressing pollution issues. The fact that it requires DEP to address pollution sources from out-of-state is especially important when discussing air/fuels topics. Most ozone in Connecticut comes from the Mid-West states, so having the scientific experts at the Connecticut Academy of Science & Engineering (CASE) help study this makes sense. Allowing public comments on the report would be very helpful, as it would allow the regulated community to outline the difficulty in addressing ozone drifting here from 1,000 miles away.

HB-5127 prevents DEP from implementing any Ozone Transport Commission (OTC) proposal prior to a 60-day public comment period. The OTC consists of a group of air quality regulators in the Northeast states. During those 60 days, DEP would be required to educate the public and seek input from the regulated community. This is important because the OTC currently is considering adoption of a major above-ground storage tank (AST) model rule which will have significant implications for gasoline terminals in New Haven and Bridgeport. Passage of this bill would force DEP to educate and reach out to regulated parties statewide---for two full months---and to hold public hearings and take input.

Taken as a package, these bills do not crimp DEP's rule-writing authority in any way---they still allow DEP to write regulations---but they do force the agency to pay more attention to public hearings, to take input from the regulated community, and to seek scientific expertise.

Thank you for considering our testimony. Please contact us as this bill moves forward; we would be pleased to offer further input.